

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE P.O. Box 1450 ALEXANDRIA, VA 22313-1450 www.uspto.gov

Paper No. None

MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON DC 20004

COPY MAILED

JUL 0 5 2006

OFFICE OF PETITIONS

In re Application of

Georgiy Buyanovskiy

Application No. 10/642,797

Filed: August 18, 2003

Attorney Docket No. 11382-003-

999

Title: METHOD AND SYSTEM FOR

ADAPTIVE DIRECT VOLUME

RENDERING

DECISION ON PETITION UNDER 37 C.F.R. \$1.137(f)

This is a decision on the petition filed on March 8, 2006, pursuant to 37 C.F.R. §1.137(f), to revive the above-identified application.

A grantable petition pursuant to 37 C.F.R. §1.137(f) must be accompanied by:

- (1) Notification of the filing of an application in a foreign country or under a multinational treaty that requires 18 month publication<sup>1</sup>;
- (2) The petition fee as set forth in 37 C.F.R. § 1.17(m), and;
- (3) A statement that the entire delay in filing the notice from the date that the notice was due under 35 U.S.C. \$122(b)(2)(B)(iii) until the date the notice was filed was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional.

<sup>1</sup> See PTO/SB/36 and paragraph on PTO/SB/64a for further information. Both may be downloaded at http://www.uspto.gov/web/forms/index.html.

With the present petition, Petitioner has submitted the petition fee and the proper statement of unintentional delay.

Petitioner states that the instant nonprovisional application is the subject of an application filed in either a foreign or an international application on August 19, 2004. However, the United States Patent and Trademark Office was unintentionally not notified of this filing within 45 days subsequent to the filing of the subject application in either an international application or a foreign country.

Unfortunately, it does not appear that a Notice of Rescission of Nonpublication Request has been filed with the Office. As such, Petitioner has not rescinded the previous nonpublication request.

In view of the foregoing, this petition is DISMISSED.

Any reply must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 C.F.R. \$1.136(a) are permitted. The reply should include a cover letter entitled "Renewed Petition Under 37 C.F.R. 1.137(f)". This is not a final agency action within the meaning of 5 U.S.C 704.

The renewed petition should indicate in a prominent manner that the attorney handling this matter is Paul Shanoski, and may be submitted by mail<sup>2</sup>, hand-delivery<sup>3</sup>, or facsimile<sup>4</sup>.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.

Paul Shanoski Senior Attorney Office of Pelitions

United States Patent and Trademark Office

<sup>2</sup> Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

<sup>3</sup> Customer Window, Randolph Building, 401 Dulaney Street, Alexandria, VA, 22314.

<sup>4 (571) 273-8300-</sup> please note this is a central facsimile number.